

REMARKS

Claims 1-20 are presented for further examination. Claims 2, 5-9, 11, and 18 have been amended.

In the Office Action mailed December 29, 2005, the Examiner rejected claims 5-11 under 35 U.S.C. § 112, second paragraph, as indefinite because of the use of the trademarked term "Velcro." In addition on line 18 there was no antecedent for the "fastener stripe." Claim 18 was rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 3,940,882 ("Mabuchi"). Claims 1-4 and 12-17 were allowed, and claims 5-11 were found to be allowable if rewritten to overcome the Section 112 rejection. Claims 19-20 were objected to but found to be allowable if rewritten into independent form.

Applicant respectfully disagrees with the basis for the rejections and requests reconsideration and further examination of the claims.

Claim 2 has been amended to more clearly recite the features of the invention and to overcome a potential antecedent basis problem for the wing trailing edge. Claims 5-9 and 11 have been amended to overcome the Section 112 rejections made by the Examiner. Applicant respectfully submits that claims 1-17 are now in condition for allowance.

Claim 18 has been amended to now recite a flying wing toy that comprises a wing having a leading edge and a trailing edge, the wing having no fuselage associated therewith; and a propulsion system mounted on the wing, the propulsion system comprising a pusher propeller extending aft of the trailing edge of the wing a sufficient distance to decouple the propeller aerodynamically from turbulence generated at the trailing edge of the wing when in flight.

Mabuchi, U.S. Patent No. 3,940,882 is directed to a motor-driven model airplane having a pusher propeller. Mabuchi teaches a design where the pusher propeller is configured "to free the fuselage from aerodynamic influences of propeller slip stream and also to protect the fuselage from such damage as would be caused by collision in flight" (see Abstract; emphasis added). Clearly, Mabuchi teaches a conventional aircraft configuration in which a fuselage is used for supporting a pusher propeller. This is clearly inapposite to the present invention which is directed to a flying wing having no fuselage associated therewith. In other words, as stated in the preamble, this is a flying wing configuration, not a fuselage having wings extending


therefrom. In addition, claim 18 recites the propulsion system mounted on the wing and not on the fuselage as taught by Mabuchi.

Applicant respectfully submits that claim 18 and dependent claims 19-20 are clearly allowable. In view of the foregoing, applicant respectfully submits that all of the claims in this application are in condition for allowance. In the event the Examiner finds minor informalities that can be resolved by telephone conference, the Examiner is urged to contact applicant's undersigned representative by telephone at (206) 622-4900 in order to expeditiously resolve prosecution of this application. Consequently, early and favorable action allowing these claims and passing this case to issuance is respectfully solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,  
SEED Intellectual Property Law Group PLLC

  
E. Russell Tarleton  
Registration No. 31,800

ERT:jl

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031

757499\_1.DOC